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**UNITED STATES BANKRUPTCY COURT**  
**EASTERN DISTRICT OF CALIFORNIA**

In re:  
JORGE LUIS TIJERINA,  
  
Debtor.

Case No. 12-13101-B-12  
Chapter 12  
DC No. LKW-5  
  
Date: September 5, 2012  
Time: 3:00 p.m.  
Place: United States Bankruptcy Court  
1300 18th Street, First Floor  
Bakersfield, CA  
Judge: Honorable W. Richard Lee

**FINDINGS OF FACTS AND CONCLUSIONS OF LAW REGARDING**  
**CONFIRMATION OF CHAPTER 12 PLAN**

The Motion to Confirm Chapter 12 Plan filed by Jorge Luis Tijerina ("Debtor") came on for hearing on September 5, 2012. Leonard K. Welsh, Attorney at Law, appeared for Debtor and M. Nelson Enmark, Attorney at Law, appeared as the Chapter 12 Trustee. No other appearances were made at the hearing on the Motion.

After considering the representations of counsel and the Chapter 12 Trustee, and the papers on file herein including the Chapter 12 Plan filed on June 26, 2012 ("the Plan"),

**FINDINGS OF FACT**

The Court finds that:

1. the Plan has been transmitted to all creditors, parties in interest, or other persons, or entities whose rights are effected by the Plan;

2. due and proper notice of the hearing on confirmation of the Plan has been given Debtor, the Chapter 12 Trustee, the United States Trustee, all creditors, and parties requesting

special notice;

3. the Plan meets the requirements of 11 USC Section 1222;
4. the Plan complies with the provisions of Chapter 12 and other applicable provisions of Title 11;
5. any fee, charge, or amount required under Chapter 12 of title 28, or by the Plan, to be paid before confirmation has been paid;
6. the Plan has been proposed in good faith and not by any means forbidden by law;
7. the value of the property, as of the effective date of the Plan, to be distributed under the Plan on account of each allowed unsecured claim is not less than the amount that would be paid on such claims if the estate of Debtor was liquidated under Chapter 7 on such date;
8. with respect to each allowed secured claim provided for by the Plan –
  - (A) the holder of such claim has accepted the Plan;
  - (B)(i) the Plan provides that the holder of such claim shall retain the lien securing its claim, and
  - (ii) the value as of the effective date of the Plan on account of such claim is not less than the amount of such claim; or
  - (C) Debtor shall surrender the property securing such claim to such holder;
9. Debtor will be able to make all payments under the Plan and comply with the Plan; and
10. Debtor is not required by a judicial or administrative order, or by statute, to pay a “Domestic Support Obligation” as defined in 11 USC Section 101(14A).

### **CONCLUSIONS OF LAW**

Based on the findings of the Court described above,

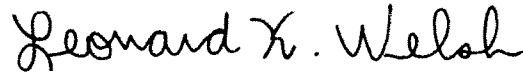
1. the Court finds that the Chapter 12 Plan filed by Jorge Luis Tijerina should be confirmed subject to the modifications to the Plan reflected on the record and to be included in the Order Confirming Chapter 12 to be entered by the Court.

2. Debtor should submit a proposed form of Order Confirming Chapter 12 Plan to the Court consistent with these Findings of Fact and Conclusions of Law.

Submitted by:

Dated: September 28, 2012

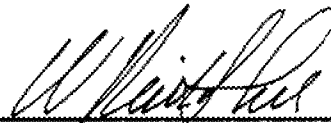
LAW OFFICES OF LEONARD K. WELSH



By /s/ Leonard K. Welsh

LEONARD K. WELSH  
Attorney for Debtor

Dated: Oct 02, 2012



W. Richard Lee  
United States Bankruptcy Judge